

AFFIDAVIT

STATE OF COLORADO

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COUNTY OF DENVER

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BEFORE ME, the undersigned authority, on this day personally appeared Michelle Holderness, who being by me duly sworn deposed as follows:

"My name is Michelle Holderness. I am over the age of eighteen (18) and of sound mind and am competent to make this affidavit, and am personally acquainted with the facts herein stated. I have never been convicted of a felony or misdemeanor involving moral turpitude.

I am an attorney in the legal department of CACH, LLC (referred to hereafter as "CACH"). The legal department of CACH and the individual attorneys (including myself) are familiar with the Mack account (described below), part of a certain portfolio of accounts purchased by CACH. The legal department is involved with portfolio purchases, examining the documents associated with such purchases. The legal department and the individual attorneys in that department are also aware of the lawsuits filed against CACH.

In my capacity as an attorney in the legal department of CACH, I am familiar with a suit filed by David E. Mack against CACH in Cause No. 4:11-cv-00347 styled David E. Mack vs CACH, LLC and J.A. Cambece Law Office, pending in the United States District Court for the Eastern District of Texas, Sherman Division (referred to hereafter as "this suit").

On or about August 6, 2009, CACH purchased a portfolio of charged off accounts from Sherman Acquisition LLC (referred to hereafter as "Sherman"), such accounts having been previously purchased by Sherman from American Express Bank, FSB and American Express Centuron Bank (referred to hereafter as "American Express"). One of the accounts purchased in this portfolio was that of David Mack, whose address is 7720 McCallum Blvd Unit 2099, Dallas, Texas 75252 and whose social security number is xxx-xx-x161. This is the same address given by the Plaintiff in this suit as being his personal address in the signature block in the Original Complaint in this suit.

I further state that I have read the above and foregoing affidavit, and that every statement contained therein is based upon my personal knowledge and is true and correct."

Signed this 11th day of August, 2011.



Michelle Holderness

STATE OF COLORADO

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COUNTY OF DENVER

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Before me, the undersigned notary public, in this day personally appeared Michelle Holderness, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this 11th day of August, 2011.



My Commission Expires 09/20/2013

Wendy D. Jackson  
Notary Public, State of Colorado